

114TH CONGRESS
2D SESSION

S. 3282

AN ACT

To reauthorize and amend the National Sea Grant College
Program Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant
3 College Program Amendments Act of 2016”.

4 **SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-**
5 **LEGE PROGRAM ACT.**

6 Except as otherwise expressly provided, wherever in
7 this Act an amendment or repeal is expressed in terms
8 of an amendment to, or repeal of, a section or other provi-
9 sion, the reference shall be considered to be made to a
10 section or other provision of the National Sea Grant Col-
11 lege Program Act (33 U.S.C. 1121 et seq.).

12 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**
13 **POLICY FELLOWSHIP.**

14 (a) IN GENERAL.—Section 208(b) (33 U.S.C.
15 1127(b)) is amended by striking “may” and inserting
16 “shall”.

17 (b) PLACEMENTS IN CONGRESS.—Such section is
18 further amended—

19 (1) in the first sentence, by striking “The Sec-
20 retary” and inserting the following:

21 “(1) IN GENERAL.—The Secretary”; and

22 (2) in paragraph (1), as designated by para-
23 graph (1), in the second sentence, by striking “A fel-
24 lowship” and inserting the following:

25 “(2) PLACEMENT PRIORITIES.—

1 “(A) IN GENERAL.—In each year in which
2 the Secretary awards a legislative fellowship
3 under this subsection, when considering the
4 placement of fellows, the Secretary shall
5 prioritize placement of fellows in the following:

6 “(i) Positions in offices of, or with
7 members on, committees of Congress that
8 have jurisdiction over the National Oceanic
9 and Atmospheric Administration.

10 “(ii) Positions in offices of members
11 of Congress that have a demonstrated in-
12 terest in ocean, coastal, or Great Lakes re-
13 sources.

14 “(B) EQUITABLE DISTRIBUTION.—In plac-
15 ing fellows in offices described in subparagraph
16 (A), the Secretary shall ensure, to the max-
17 imum degree practicable, that placements are
18 equitably distributed among the political par-
19 ties.

20 “(3) DURATION.—A fellowship”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 subsection (b) shall apply with respect to the first calendar
23 year beginning after the date of enactment of this Act.

24 (d) SENSE OF CONGRESS CONCERNING FEDERAL
25 HIRING OF FORMER FELLOWS.—It is the sense of Con-

gress that in recognition of the competitive nature of the fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), and of the exceptional qualifications of fellowship awardees, the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, should encourage participating Federal agencies to consider opportunities for fellowship awardees at the conclusion of their fellowship for workforce positions appropriate for their education and experience.

SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF COMMERCE TO ACCEPT DONATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C. 1123(c)(4)(E)) is amended to read as follows:

“(E) accept donations of money and, notwithstanding section 1342 of title 31, United States Code, of voluntary and uncompensated services;”.

(b) PRIORITIES.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish priorities for the use of donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)), and shall consider among those priorities

1 the possibility of expanding the Dean John A. Knauss Ma-
2 rine Policy Fellowship's placement of additional fellows in
3 relevant legislative offices under section 208(b) of that Act
4 (33 U.S.C. 1127(b)), in accordance with the recommenda-
5 tions under subsection (c) of this section.

6 (c) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Director of the National
8 Sea Grant College Program, in consultation with the Na-
9 tional Sea Grant Advisory Board and the Sea Grant Asso-
10 ciation, shall—

11 (1) develop recommendations for the optimal
12 use of any donations accepted under section
13 204(c)(4)(E) of the National Sea Grant College Pro-
14 gram Act (33 U.S.C. 1123(c)(4)(E)); and

15 (2) submit to Congress a report on the rec-
16 ommendations developed under paragraph (1).

17 (d) CONSTRUCTION.—Nothing in this section shall be
18 construed to limit or otherwise affect any other amounts
19 available for marine policy fellowships under section
20 208(b) of the National Sea Grant College Program Act
21 (33 U.S.C. 1127(b)), including amounts—

22 (1) accepted under section 204(c)(4)(F) of that
23 Act (33 U.S.C. 1123(c)(4)(F)); or

24 (2) appropriated under section 212 of that Act
25 (33 U.S.C. 1131).

1 **SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
 2 **ORDINATION OF OCEANS AND COASTAL RE-**
 3 **SEARCH ACTIVITIES.**

4 Section 9 of the National Sea Grant College Program
 5 Act Amendments of 2002 (33 U.S.C. 857–20) is repealed.

6 **SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NA-**
 7 **TIONAL SEA GRANT ADVISORY BOARD RE-**
 8 **PORT.**

9 Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amend-
 10 ed—

11 (1) in the heading, by striking “BIENNIAL” and
 12 inserting “PERIODIC”; and

13 (2) in the first sentence, by striking “The
 14 Board shall report to the Congress every two years”
 15 and inserting “Not less frequently than once every
 16 3 years, the Board shall submit to Congress a re-
 17 port”.

18 **SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
 19 **GRANT COLLEGE PROGRAM.**

20 Section 204(b) (33 U.S.C. 1123(b)) is amended, in
 21 the matter before paragraph (1), by inserting “for re-
 22 search, education, extension, training, technology transfer,
 23 and public service” after “financial assistance”.

1 **SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS**
2 **MARINE POLICY FELLOWSHIP.**

3 (a) IN GENERAL.—During fiscal year 2016 and
4 thereafter, the head of any Federal agency may appoint,
5 without regard to the provisions of subchapter I of chapter
6 33 of title 5, United States Code, other than sections 3303
7 and 3328 of that title, a qualified candidate described in
8 subsection (b) directly to a position with the Federal agen-
9 cy for which the candidate meets Office of Personnel Man-
10 agement qualification standards.

11 (b) DEAN JOHN A. KNAUSS MARINE POLICY FEL-
12 LOWSHIP.—Subsection (a) applies with respect to a
13 former recipient of a Dean John A. Knauss Marine Policy
14 Fellowship under section 208(b) of the National Sea
15 Grant College Program Act (33 U.S.C. 1127(b)) who—

16 (1) earned a graduate or post-graduate degree
17 in a field related to ocean, coastal and Great Lakes
18 resources or policy from an accredited institution of
19 higher education; and

20 (2) successfully fulfilled the requirements of the
21 fellowship within the executive or legislative branch
22 of the United States Government.

23 (c) LIMITATION.—The direct hire authority under
24 this section shall be exercised with respect to a specific
25 qualified candidate not later than 2 years after the date
26 that the candidate completed the fellowship.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
 2 **TIONAL SEA GRANT COLLEGE PROGRAM.**

3 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
 4 1131(a)) is amended—

5 (1) by amending paragraph (1) to read as fol-
 6 lows:

7 “(1) IN GENERAL.—There are authorized to be
 8 appropriated to the Secretary to carry out this
 9 title—

10 “(A) \$75,600,000 for fiscal year 2016;

11 “(B) \$79,380,000 for fiscal year 2017;

12 “(C) \$83,350,000 for fiscal year 2018;

13 “(D) \$87,520,000 for fiscal year 2019;

14 “(E) \$91,900,000 for fiscal year 2020; and

15 “(F) \$96,500,000 for fiscal year 2021.”;

16 and

17 (2) by amending paragraph (2) to read as fol-
 18 lows:

19 “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS
 20 2016 THROUGH 2021.—In addition to the amounts
 21 authorized under paragraph (1), there is authorized
 22 to be appropriated \$6,000,000 for each of fiscal
 23 years 2016 through 2021 for competitive grants for
 24 the following:

1 “(A) University research on the biology,
2 prevention, and control of aquatic nonnative
3 species.

4 “(B) University research on oyster dis-
5 eases, oyster restoration, and oyster-related
6 human health risks.

7 “(C) University research on the biology,
8 prevention, and forecasting of harmful algal
9 blooms.

10 “(D) University research, education, train-
11 ing, and extension services and activities fo-
12 cused on coastal resilience and U.S. working
13 waterfronts and other regional or national pri-
14 ority issues identified in the strategic plan
15 under section 204(c)(1).

16 “(E) University research on sustainable
17 aquaculture techniques and technologies.

18 “(F) Fishery extension activities conducted
19 by sea grant colleges or sea grant institutes to
20 enhance, and not supplant, existing core pro-
21 gram funding.”.

22 (b) MODIFICATION OF LIMITATIONS ON AMOUNTS
23 FOR ADMINISTRATION.—Paragraph (1) of section 212(b)
24 (33 U.S.C. 1131(b)) is amended to read as follows:

25 “(1) ADMINISTRATION.—

1 “(A) IN GENERAL.—There may not be
2 used for administration of programs under this
3 title in a fiscal year more than 5.5 percent of
4 the lesser of—

5 “(i) the amount authorized to be ap-
6 propriated under this title for the fiscal
7 year; or

8 “(ii) the amount appropriated under
9 this title for the fiscal year.

10 “(B) CRITICAL STAFFING REQUIRE-
11 MENTS.—

12 “(i) IN GENERAL.—The Director shall
13 use the authority under subchapter VI of
14 chapter 33 of title 5, United States Code,
15 to meet any critical staffing requirement
16 while carrying out the activities authorized
17 in this title.

18 “(ii) EXCEPTION FROM CAP.—For
19 purposes of subparagraph (A), any costs
20 incurred as a result of an exercise of au-
21 thority as described in clause (i) shall not
22 be considered an amount used for adminis-
23 tration of programs under this title in a
24 fiscal year.”.

25 (c) ALLOCATION OF FUNDING.—

1 (1) IN GENERAL.—Section 204(d)(3) (33
2 U.S.C. 1123(d)(3)) is amended—

3 (A) in the matter before subparagraph (A),
4 by striking “With respect to sea grant colleges
5 and sea grant institutes” and inserting “With
6 respect to sea grant colleges, sea grant insti-
7 tutes, sea grant programs, and sea grant
8 projects”; and

9 (B) in subparagraph (B), in the matter be-
10 fore clause (i), by striking “funding among sea
11 grant colleges and sea grant institutes” and in-
12 serting “funding among sea grant colleges, sea
13 grant institutes, sea grant programs, and sea
14 grant projects”.

15 (2) REPEAL OF REQUIREMENTS CONCERNING
16 DISTRIBUTION OF EXCESS AMOUNTS.—Section 212
17 (33 U.S.C. 1131) is amended—

18 (A) by striking subsection (c); and

19 (B) by redesignating subsections (d) and
20 (e) as subsections (c) and (d), respectively.

21 **SEC. 10. TECHNICAL CORRECTIONS.**

22 The National Sea Grant College Program Act (33
23 U.S.C. 1121 et seq.) is amended—

1 (1) in section 204(d)(3)(B) (33 U.S.C.
2 1123(d)(3)(B)), by moving clause (vi) two ems to
3 the right; and

4 (2) in section 209(b)(2) (33 U.S.C.
5 1128(b)(2)), as amended by section 6, in the third
6 sentence, by striking “The Secretary shall” and in-
7 serting the following:

8 “(3) AVAILABILITY OF RESOURCES OF DEPART-
9 MENT OF COMMERCE.—The Secretary shall”.

Passed the Senate July 14, 2016.

Attest:

Secretary.

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